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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,243	01/02/2004	Vladimir Marin	COS-971	3854
25264	7590	07/18/2008	EXAMINER	
FINA TECHNOLOGY INC PO BOX 674412 HOUSTON, TX 77267-4412			LU, C CAIXIA	
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The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10751243	1/2/04	MARIN ET AL.	COS-971
EXAMINER			
Caixia Lu			
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1796			20080711

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Commissioner for Patents

The following summary is to clarify the examiner's position regarding the claims under review:

- (i) Claims 1, 3, and 10-12 rejected under 35 U.S.C. 102(b) as being anticipated by Kaufmann et al. (US 5,770,752) and Schertl et al. (US 5,668,230) in dependently in the Final Office Action mailed August 30, 2006.
- (ii) Appellants' grounds of rejection to be reviewed in appeal are limited the rejection of claim 10 under Kaufmann and claims 10 and 12 over Schertl in the Appeal Brief filed January 30, 2007. Appellants have not make any amendment to change the ground of rejection to be reviewed.
- (iii) The rejection of claim 12 under 35 U.S.C. 102(b) over Schertl is withdrawn by the examiner in Supplemental Amendment filed November 2, 2007.
- (iv) Currently, claims 1, 3, and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaufmann et al. (US 5,770,752) and claims 1, 3, 10 and 11 under 35 U.S.C. 102(b) as being anticipated by Schertl et al. (US 5,668,230). The grounds of rejections of claims 1, 3, 11, and 12 under 35 U.S.C. 102(b) as being anticipated by Kaufmann et al. (US 5,770,752) and the rejections of claims 1, 3, and 11 under 35 U.S.C. 102(b) as being anticipated by Schertl et al. (US 5,668,230) have not been withdrawn by the examiner, but they are not under review on appeal because they have not been presented for review in the appellant's brief. However, since Appellant has traversed the rejection of claim 12 over Kaufmann in the Reply Brief dated June 19, 2007, the examiner is now again including the rejection of claim 12 over Kaufmann in the attached second Supplemental Examiner's Answer for Board to review.

To Summarized the foregoing, it is the examiner's position that the rejections of claims 10 and 12 over Kaufmann and rejection of claim 10 over Schertl which are represented to board for review in the attached Supplemental Examiner's Answer and claims 1, 3, and 11 are cancelled by the attached Examiner's Amendment.

/David Wu/
Supervisory Patent Examiner, Art Unit 1796

/Caixia Lu/
Primary Examiner, Art Unit 1796